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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,156	01/08/2001	Pierre Sauvage	50990037US	4580
7590	09/07/2006		EXAMINER	
Hewlett-Packard Company Intellectual Property Administration P.O. Box 272400 Fort Collins, CO 80527-2400				MOORE, IAN N
		ART UNIT		PAPER NUMBER
		2616		

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

SF

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/755,156	SAUVAGE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ian N. Moore	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 August 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 9-16 is/are allowed.
- 6) Claim(s) 1-5, 7 and 8 is/are rejected.
- 7) Claim(s) 6 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Boese (US 5,084,816).

**Regarding Claim 4,** Boese discloses a process for setting MTP Level 1 parameters (see col. 14, line 30-67; MTP level 1) in a point code (see FIG. 4, STP 52/54/56/58, SCP 200/590, or SSP 30; see col. 21, line 30-67) connected to a signaling system 7 network (see FIG. 3, SS7 network; see col. 11, line 34-36) through at least one link (see FIG. 5, and FIG. 3, MTP link; see col. 17, line 20-27; see col. 14, line 30-55), comprising:

- issuing a MTP Level 2 alignment request (see col. 17, line 45 to col. 18, line 15, 24-35; Table 4; a combined MTP-2 Link Status Signal Unit (LSSU) and MSU request message to align) on said link for a given combination of said MTP Level-1 parameter values (see col. 17, line 45 to col. 18, line 15; see col. 14, line 30-67; a combined LSSU and MSU is sent over the MTP link for a given/predefine/preset parameter values (i.e. link status of alignment bit stream, time intervals, and/or a routing label values), which are MTP level 1 functional characteristic of transmission channel and signaling link and a specific transmission method), and
- when no response is received on said link (see col. 18, line 30-45; receiving no acknowledgment or response on the link), changing said combination of parameter values, and

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repeating said step of issuing an alignment request (see col. 18, line 15, line 24,30-40; see col.

18, line 5-23; 35-43; repeating alignment test by resending more LSSU and MSU by changing pre-set parameter (i.e. changing interval, route label, and status of alignment bit stream));

- when a response is received on said link (see col. 18, line 15-22; 25-40; upon receiving proper acknowledgement message of signal link test), setting said parameter values according to the parameter values of said combination (see col. 18, line 43-47; link status parameter is updated to available and aligned).

**Regarding Claim 5**, Boese discloses wherein said alignment request is a normal alignment request (see col. 17, line 45 to col. 18, line 15, 24-35; a combined Link Status Signal Unit (LSSU) and MSU request message to align is a normal request).

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boese (US 5,084,816) in view of Longfield (US005898667A).

**Regarding Claim 1**, Boese discloses a process for updating a table of distant point codes (see FIG. 4; a memory/list of destination address/point code in the remote/other STPs, SSP or SCPs), in a point code (see FIG. 4, STP 52/54/56/58, SCP 200/590, or SSP 30; see col. 21, line 30-67) connected to a signaling system 7 network (see FIG. 3, SS7 network; see col. 11, line 34-

36) through at least one MTP Level 3 aligned link (see FIG. 5, and FIG. 3, MTP level 3 link; see col. 17, line 20-27; see col. 14, line 30-55), comprising:

listening to point code status messages (see col. 11, line 55-60,65 to col. 12, line 25; Table 1, receiving message signal unit (MSU)) originating from distant point codes forwarded on said link (see col. 12, line 26-67; other SCP or STP), wherein the point codes are identified by point code numbers (see col. 13, line 15 to col. 14, line 15; Table 2 and Table 3, routing label with destination point code (DPC)), and wherein an alignment request (see col. 17, line 45 to col. 18, line 15, 24-35; Table 4; a combined Link Status Signal Unit (LSSU) and MSU request message to align) is issued on said link for a given combination of MTP Level-1 parameter values (see col. 17, line 45 to col. 18, line 15; a combined LSSU and MSU is sent over the MTP link for a given/predefine/preset parameters (i.e. link status of alignment bit stream, time intervals, and/or a routing label) a combined LSSU and MSU is sent over the MTP link for a given/predefine/preset parameter values (i.e. link status of alignment bit stream, time intervals, and/or a routing label values), which are MTP level 1 functional characteristic of transmission channel and signaling link and a specific transmission method), and if no response is received on said link (see col. 18, line 30-45; receiving no acknowledgment or response on the link), automatically changing the combination of parameter values (see col. 18, line 15, line 24,30-40; repeating the alignment test atomically by changing pre-set parameter (i.e. changing interval, route label, and status of alignment bit stream)) and reissuing a further alignment request (see col. 18, line 5-23; 35-43; repeating by resending more LSSU and MSU) until a message originating from a distant point code is received (see col. 18, line 15-22; 25-40; proper acknowledgement message of signal link test); and

upon receiving the message originating from a distant point code (see col. 18, line 15-22; 25-40; upon receiving proper acknowledgement message of signal link test), updating the status of the link to available with the point code number of said distant point code (see col. 18, line 43-47; link status is updated as available and aligned associated with destination point code from other STP/SCP node).

Boese does not explicitly disclose updating said table. However, Longfield teaches updating said table with the point code number of said distant point code (see FIG. 2 and 4, step 84; see col. 7, line 64 to col. 8, line 30; updating a list of received broadcast point code in SSP with a new point cod in new SSP. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide updating a table, as taught by Longfield in the system of Longfield, so that it would mange communication with network resources in a manner that does not burden the central processor of the singling point; see Longfield col. 2, line 38-66.

**Regarding Claim 2**, Boese discloses configuring a primary route to said distant point code through said link (see col. 15, line 50 to col. 16, line 65; configuration/provisioning to remote/other STP or SCP via a link).

**Regarding Claim 3**, Boese discloses checking said primary route using a signaling route set test (see col. 18, line 15-22; 25-40; performing signal link test to configure/provision/align a link to other/remote STP/SCP).

**Regarding Claim 8**, Boese discloses a process for determining a point code number (see FIG. 4, STP 52/54/56/58, SCP 200/590, or SSP 30; see col. 21, line 30-67) identifying a point code connected to a signaling system 7 network (see FIG. 3, SS7 network; see col. 11, line 34-

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36) through at least one link (see FIG. 5, and FIG. 3, via MTP level link; see col. 17, line 20-27; see col. 14, line 30-55), comprising:

- proceeding with MTP Level 2 alignment of said link, by issuing an alignment request (see col. 17, line 45 to col. 18, line 15, 24-35; Table 4; to being MTP-2 alignment, a combined Link Status Signal Unit (LSSU) and MSU request message is sent) on said link for a given combination of MTP Level 1 parameter values,(see col. 17, line 45 to col. 18, line 15; a combined LSSU and MSU is sent over the MTP link for a given/predefine/preset parameter values (i.e. link status of alignment bit stream, time intervals, and/or a routing label values), which are MTP level 1 functional characteristic of transmission channel and signaling link and a specific transmission method), and if no response is received on said link (see col. 18, line 30-45; receiving no acknowledgment or response on the link), automatically changing the combination of parameter values (see col. 18, line 15, line 24,30-40; repeating the alignment test atomically by changing pre-set parameter value (i.e. changing interval, route label, and status of alignment bit stream)), and issuing a further alignment request (see col. 18, line 5-23; 35-43; repeating by resending more LSSU and MSU) until a signaling link test message is received on said link (see col. 18, line 15-22; 25-40; proper acknowledgement message of signal link test), and

- upon receiving a signaling link test message on said link (see col. 18, line 15-22; 25-40; upon receiving proper acknowledgement message of signal link test), defining said point code number as a destination address in said signaling link test message (see col. 18, line 43-47; link status is updated/defined as available and aligned associated with destination point code address from other STP/SCP node (also note point code is used to define a destination address, see

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applicant remark page 7, line 9-14, paper# 8-6-2004), wherein the point codes are identified by point code numbers (see col. 13, line 15 to col. 14, line 30; DPC number).

Boese does not explicitly disclose storing said table. However, Longfield teaches updating and storing in a table with the point code number of said distant point code (see FIG. 2 and 4, step 84; see col. 7, line 64 to col. 8, line 30; updating a list of received broadcast point code in SSP with a new point cod in new SSP. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide updating a table, as taught by Longfield in the system of Longfield, so that it would mange communication with network resources in a manner that does not burden the central processor of the singling point; see Longfield col. 2, line 38-66.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boese in view of Silverman (US006731649B1).

**Regarding Claim 7,** Boese discloses wherein a protocol on said link (see FIG. 3, SS7 protocol; see col. 11, line 34-36) and said MTP Level 1 parameter value as disclosed above in claim 4.

Boese does not explicitly disclose TDM protocol, and wherein said parameter value further comprises at a time slot. However, SS7 links utilizing TDM protocol which comprise TDM slots is well known in the art and SS7 standards (i.e. GR-1129-CORE, GR-1299-CORE, GR-82-CORE, GR-905-CORE). In particular, Silverman teaches wherein a protocol on said link is a time division multiplex protocol, and wherein said parameter value further comprise a time slot value (see col. 8, line 54-56; SS7 link occupying TDM slot value). Therefore, it would have

been obvious to one having ordinary skill in the art at the time the invention was made to provide TDM protocol and TDM slot value, as taught by Silverman in the system of Boese, so that it would be compatible with existing TDM (i.e. PSTN network).

***Allowable Subject Matter***

6. **Claim 6** is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. **Claims 9-16** are allowed.

***Response to Arguments***

8. Applicant's arguments with respect to claims 1-5,7, and 8 have been considered but are moot in view of the new ground(s) of rejection.

**Regarding claims 1, 4 and 8, the applicant argued that,** "...the status values...are not MTP Level 1 parameter values, but instead would be considered to be MTP Level 3 status values. Boese does not suggest all feature of the independent claims..." in page 8, paragraph 1-3

**In response to applicant's argument, the examiner respectfully disagrees with the argument above.**

Boese discloses a given combination of said MTP Level-1 parameter values (see col. 17, line 45 to col. 18, line 15; see col. 14, line 30-67; a combined LSSU and MSU is sent over the MTP link for a given/predefine/preset parameter values (i.e. link status of alignment bit stream, time intervals, and/or a routing label values), which are MTP level 1 functional

**characteristic of transmission channel and signaling link and a specific transmission method).**

It is noted that the features upon which applicant relies (i.e., **what are MTP-1 parameter values**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Thus, examiner asserts that link status of alignment bit stream, time intervals, and/or a routing label values as “MTP-1 parameter values” since they represent MTP level 1 functional characteristic of transmission channel and signaling link and a specific transmission method.

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

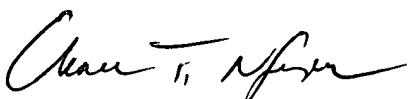
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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N. Moore whose telephone number is 571-272-3085. The examiner can normally be reached on 9:00 AM- 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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